

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JIM TRAKAS,**

**Plaintiff,**

**v.**

**CONSERVATIVE ALLIANCE  
POLITICAL ACTION COMMITTEE, ET  
AL.,**

**Defendants.**

:  
:  
: **Case No. 1:18-cv-1798**  
:  
: **Judge Donald C. Nugent**  
:  
: **REPORT OF PARTIES'**  
: **PLANNING MEETING UNDER**  
: **FED. R. CIV. P. 26(f) AND LR 16.3(b)**  
:  
:

1. Pursuant to FED. R. CIV. P. 26(f) and LR 16.3(b), a meeting was held on

September 25, 2018, and was attended by:

David Horvath counsel for plaintiff(s) Jim Trakas

Christopher J. Hogan counsel for defendant(s) Conservative Alliance Political Action Committee

2. The parties:

       have exchanged the pre-discovery disclosures required by FED. R. CIV.  
P. 26(a)(1) and the Court's prior order;

X will exchange such disclosures by October 12, 2018;

3. The parties recommend the following track:

       Expedited X Standard        Complex

       Administrative        Mass Tort

4. This case is suitable for one or more of the following Alternative Dispute Resolution (ADR) mechanisms:

Early Neutral Evaluation       Mediation       Arbitration  
 Summary Jury Trial       Summary Bench Trial  
 Case not suitable for ADR

5. The parties do / X do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

6. Recommended Discovery Plan:

(a) Describe the subjects on which discovery is to be sought and the nature and extent of discovery.

For Plaintiff:

- Identity of parties making accusations against Plaintiff.
- Source of funding for political ads adverse to Plaintiff.
- Facts upon which Defendants and or third parties relied upon in making statements about Plaintiff to the general public.
- Documents in Defendants' possession relating to Plaintiff.
- Depositions of parties involved in publication of statements.
- Depositions of third parties pertaining to accuracy of published statements relating to school funding etc.
- Paper discovery on above issues.
- Discovery of information pertaining to affirmative defenses.
- Depositions of any defense experts or lay witnesses.

For Defendant

Depositions, document requests, interrogatories, and requests for admission regarding, without limitation:

- Each element of Plaintiff's claims, including falsity and actual malice
- Each of Defendant's defenses, including truth and substantial truth
- Applicability of the innocent construction rule
- Plaintiff's reputation and claimed harm/damages
- Any other factual allegations in the complaint

(b) The parties (indicate one):

\_\_\_\_\_ agree that there will be no discovery of electronically-stored information;

or

\_\_\_\_\_ have agreed to a method for conducting discovery of electronically-stored information; or

\_\_\_\_\_ have agreed to follow the default standard for discovery of electronically-stored information (Appendix K to Northern District Ohio Local Rules)

(c) Non- Expert Discovery cut-off date: December 28, 2018

(d) Plaintiff's (or party with the burden of proof on an issue) expert report due date: January 25, 2019

Defendant's (or party without the burden of proof on an issue) due date:

March 1, 2019

Expert Discovery cut-off date: March 31, 2019

7. Recommended dispositive motion date: April 26, 2019

8. Recommended cut-off date for amending the pleadings and/or adding additional parties: February 22, 2019

---

9. Recommended date for a Status Hearing: November 20, 2018

---

10. Other matters for the attention of the Court: n/a

---

Respectfully submitted,

/s/ David J. Horvath (by CJH per email authority)

David J. Horvath(0055989)  
7100 E. Pleasant Valley Road, Suite 110  
Independence, Ohio 44131  
Tel: (216) 986-0860  
Fax: (216) 986-0861  
djhovath@hotmail.com

Attorney for Plaintiff Jim Trakas

/s/ Christopher J. Hogan

Marion H. Little, Jr. (0042679)  
Christopher J. Hogan (0079829)  
ZEIGER, TIGGES & LITTLE LLP  
41 South High Street, Suite 3500  
Columbus, Ohio 43215  
Tel: (614) 365-9900  
Fax: (614) 365-7900  
little@litohio.com  
hogan@litohio.com

Attorneys for Defendant  
Conservative Alliance Political Action  
Committee

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 3, 2018, a copy of the foregoing was filed electronically with the Clerk of this Court using the CM/ECF system, which will send notification of such filing to the following:

David Horvath, Esq.  
7100 E. Pleasant Valley Road, Suite 110  
Independence, OH 44131  
djhovath@hotmail.com

Attorney for Plaintiff Jim Trakas

/s/ Christopher J. Hogan  
Christopher J. Hogan (0079829)

1178-001:778090